

FILED  
STATE OF CALIFORNIA  
Speech-Language Pathology and Audiology Bureau  
Sacramento, California  
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By Cynthia A. Carmada

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8 **BEFORE THE**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **FOR THE SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BUREAU**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 11 2008 26

13 REEDA JANE PALMER  
619 Estrella Place  
Davis, California 95616

**ACCUSATION**

14 Speech-Language Pathologist License No. SP 14379

15 Respondent.

16 Complainant alleges:

17 **PARTIES**

18 1. Annemarie Del Mugnaio (Complainant) brings this Accusation solely in  
19 her official capacity as the Executive Officer of the Speech-Language Pathology and Audiology  
20 Bureau, Department of Consumer Affairs.

21 2. On or about January 12, 2005, the Speech-Language Pathology and  
22 Audiology Bureau issued Speech-Language Pathologist License Number SP 14379 to Reeda Jane  
23 Palmer (Respondent). The License was in full force and effect at all times relevant to the charges  
24 brought herein and will expire on October 31, 2010, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Director of Consumer Affairs for  
27 the Speech-Language Pathology and Audiology Bureau, under the authority of the following  
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

1           4.     Section 2531.5 of the Code provides that the board shall issue, suspend,  
2 and revoke licenses and approvals to practice speech-language pathology and audiology as  
3 authorized by this chapter.

4           5.     Section 2533 of the Code states:

5           "The board may refuse to issue, or issue subject to terms and conditions, a license  
6 on the grounds specified in Section 480, or may suspend, revoke, or impose terms and  
7 conditions upon the license of any licensee if he or she has been guilty of unprofessional  
8 conduct. Unprofessional conduct shall include, but shall not be limited to, the following:

9           "(a) Conviction of a crime substantially related to the qualifications, functions,  
10 and duties of a speech-language pathologist or audiologist, as the case may be. The  
11 record of the conviction shall be conclusive evidence thereof.

12                                 \* \* \*

13           "(e) Committing a dishonest or fraudulent act which is substantially related to the  
14 qualifications, functions, or duties of a licensee."

15           6.     Section 2533.1 of the Code provides that a plea or verdict of guilty or a  
16 conviction following a plea of nolo contendere made to a charge substantially related to the  
17 qualifications, functions, and duties of a speech-language pathologist or audiologist is deemed to  
18 be a conviction within the meaning of this article. The board may order a licensee be disciplined  
19 or denied a license as provided in Section 2533 when the time for appeal has elapsed, or the  
20 judgment of conviction has been affirmed on appeal, or when an order granting probation is  
21 made suspending the imposition of sentence irrespective of a subsequent order under Section  
22 1203.4 of the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a  
23 plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information  
24 or indictment.

25           7.     Section 125.3 of the Code states, in pertinent part, that the Board may  
26 request the administrative law judge to direct a licensee found to have committed a violation or  
27 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
28 and enforcement of the case.



1 8. California Code of Regulations, title 16, section 1399.156.1, states:

2 "For the purposes of denial, suspension or revocation of a license or registration  
3 pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall  
4 be considered to be substantially related to the qualifications, functions or duties of a  
5 person holding a license under the Act if to a substantial degree it evidences present or  
6 potential unfitness of a person holding a license to perform the function authorized by his  
7 or her license or registration in a manner consistent with the public health, safety, or  
8 welfare. Such crimes or acts shall include but not be limited to those involving the  
9 following:

10 \* \* \*

11 "(b) Conviction of a crime involving fiscal dishonesty."

12 **FIRST CAUSE FOR DISCIPLINE**

13 **(Conviction of a Crime)**

14 **[Bus. & Prof. Code §§ 2533(a), 2533.1; Cal. Code Regs. tit. 16, § 1399.156.1, subd. (b)]**

15 9. Respondent is subject to disciplinary action under sections 2533,  
16 subdivision (a), 2533.1 and California Code of Regulations, title 16, section 1399.156.1 in that,  
17 on or about May 5, 2008, in a criminal proceeding entitled *State of Alaska v. Reeda Jane Palmer*  
18 in the Superior Court for the State of Alaska, Third Judicial District at Anchorage, Case No.  
19 3AN-07-04343 CR, she was convicted by plea agreement of Medical Assistance Fraud in  
20 violation of Alaska Statute 47.05.210, subdivisions (a)(1), (B)(2), a felony related to the  
21 qualifications, functions and duties of a speech-language pathologist. The circumstances are as  
22 follows:

23 10. Between May 2002 and December 2004, Respondent knowingly submitted  
24 fraudulent claims to a medical assistance agency for property, services, or a benefit that the  
25 claimant is not entitled to the property, services, or benefit.

26 12. Respondent's conviction is substantially related to the qualifications,  
27 functions, or duties of a speech-language pathologist and constitutes unprofessional conduct  
28 within the meaning of section 2533, subdivision (a).

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